

1 WILLIAM H. PAYNTER (State Bar No. 98882)
2 LAW OFFICES OF WILLIAM H. PAYNTER
3 809 Broadway, Suite 6
4 Sonoma, California 95476
5 Telephone: (707) 996-5605
6 Facsimile: (707) 996-4629
7 Attorneys for Plaintiff
8 LUANNE S. JORDAN

9 JEFFREY D. POLSKY (State Bar No. 120975)
10 MATTHEW P. VANDALL (State Bar No. 196962)
11 KAUFF McClain & McGuire LLP
12 One Post Street
13 Suite 2600
14 San Francisco, California 94104
15 Telephone: (415) 421-3111
16 Facsimile: (415) 421-0938

17 Attorneys for Defendant
18 CAPEL, INC.

19 UNITED STATES DISTRICT COURT
20 NORTHERN DISTRICT OF CALIFORNIA
21 SAN FRANCISCO

22 LUANNE S. JORDAN,

23 CASE NO. C054939 SI

24 Plaintiff,

25 **STIPULATION AND [PROPOSED
26 ORDER] TO EXTEND DEPOSITION
27 CUT OFF DATE TO AND INCLUDING
28 OCTOBER 26, 2006 FOR THE
PURPOSE OF TAKING THE
DEPOSITION OF CHARLES YOUNG.**

Defendants.

COMPLAINT FILED:

October 31, 2005

The parties, through their respective counsel, seek to amend certain Court ordered dates and schedules for this case by amending and extending the non-expert deposition discovery cutoff date to and including October 26, 2006 for the sole purpose of taking the deposition of Charles Young.

1 1. On October 31, 2005 plaintiff Luanne S. Jordan ("Jordan" or "plaintiff") filed a
2 civil action in the Superior Court, City and County of San Francisco, against defendant Capel, Inc.
3 ("Capel" or "defendant"). Defendant removed the action to this Court pursuant to 28 U.S.C. §
4 1441(b).

5 2. Plaintiff alleges, inter alia, breach of contract, fraud, unfair business practices,
6 violations of the California Labor Code, and bad faith. Defendant denies all such allegations.

7 3. The Court's Second Pretrial Preparation Order dated September 6, 2006
8 extended the non-expert deposition discovery cutoff date from September 8, 2006 to October 23,
9 2006.

10 4. The parties have made a good faith effort to comply with the current cut off
11 date for depositions of October 23, 2006 but because of counsel's schedules and Mr. Young's travel
12 schedules compliance was not possible and the earliest date available for Mr. Young's deposition is
13 three days following the Court ordered deadline for non-expert depositions.

14 5. The parties have agreed to conduct the plaintiff's deposition of Charles Young
15 in San Francisco on October 26, 2006.

16 6. The parties hereby stipulate and request that the Court order the non-expert
17 discovery cut off date be continued from October 23, 2006 to and including October 26, 2006, so that
18 the deposition of Mr. Charles Young may be taken.

19 7. The other Court ordered dates shall remain as previously ordered.

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22 DATED: OCTOBER 19, 2006

SO STIPULATED

23
24 KAUFF MCLAIN & MCGUIRE LLP

25 _____
26 /S/
27 JEFFREY C. POLSKY
28 MATTHEW P. VANDALL
ATTORNEYS FOR DEFENDANT CAPEL,
INC.

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3 **I HEREBY ATTEST THAT I HAVE ON FILE ALL HOLOGRAPH SIGNATURES FOR**
4 **ANY SIGNATURES INDICATED BY A "CONFORMED" SIGNATURE (/S/) WITHIN THIS**
5 **EFILED DOCUMENT.**

6 DATED: OCTOBER 19, 2006

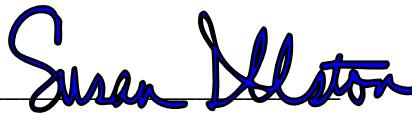
7 SO STIPULATED

8 LAW OFFICE OF WILLIAM H. PAYNTER

9 /S/
10 WILLIAM H. PAYNTER
11 ATTORNEY FOR PLAINTIFF
LUANNE S. JORDAN

12
13 IT IS SO ORDERED:

14 DATE : October ____ , 2006

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16 SUSAN ILLSTON
17 JUDGE, U.S. DISTRICT COURT

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